

TOWNSHIP OF WALL

ORDINANCE NO. 1-2023

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 173, SECTION 2(C) OF THE TOWNSHIP CODE REGARDING PUBLIC CONTRACTING REGULATIONS

WHEREAS, the Township of Wall, through adoption of Wall Municipal Code Chapter 173 codifies the rules and regulations related to Township of Wall's ability to solicit and award public contracts; and,

WHEREAS, the Wall Township Committee desires to amend and supplement Chapter 173, Section 2(C) to update the existing language to create an exception for business entities that have contracted with the Township pursuant to N.J.S.A. 19:44A-20.4 *et seq.*; and,

WHEREAS, all additions are shown in ***bold italics with underlines***. The deletions are shown as ~~***strikeovers in bold italics***~~. Sections of Chapter 215 that will remain unchanged are shown in normal type.

NOW, BE IT ORDAINED by the Township Committee of the Township of Wall, in the County of Monmouth, in the State of New Jersey, as follows:

§ 173-2 **Prohibition on the award of contracts.**

- A. The Township of Wall, or any agency or instrumentality thereof, shall not enter into a contract having an anticipated value in excess of \$17,500, as determined in advance and certified in writing by the Chief Financial Officer of the Township, with a business entity, except a contract that is awarded pursuant to a fair and open process, if during the preceding one year period that business entity has made a contribution that is reportable by the recipient under P.L. 1973, c. 83 (N.J.S.A. 19:44A-1 *et seq.*), to any municipal committee of a political party in the Township of Wall if a member of that political party is serving on the Township Committee when the contract is awarded or to any candidate committee of any person serving on the Township Committee when the contract is awarded.
- B. A business entity that has entered into a contract having an anticipated value in excess of \$17,500 with the Township, except a contract that is awarded pursuant to a fair and open process, shall not make a contribution that is reportable by the recipient under P.L. 1973, c. 83 (N.J.S.A. 19:44A-1 *et seq.*), to any municipal committee of a political party if a member of that political party is serving on the Township Committee when the contract is awarded or to any candidate committee of any person serving on the Township Committee when the contract is awarded, during the term of that contract.
- C. No such municipal committee or candidate committee shall accept a contribution from a business entity during the term of any contract between the entity and the Township or any agency or instrumentality of the Township ***except from business entities that have contracted pursuant to N.J.S.A. 19:44A-20.4 et seq.***

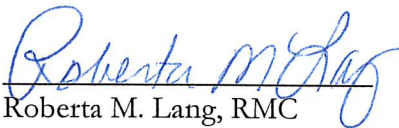
All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency. The Township Clerk is authorized to renumber and/or re-codify any sections affected by such repeal to the extent consistent with this Ordinance.

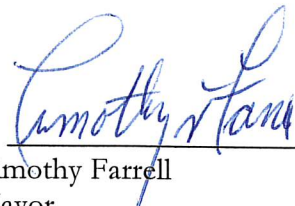
If any word, phrase, clause, section or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional such word, phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

This Ordinance shall take effect upon publication thereof after final passage according to law and approval by the State of New Jersey.

**Introduced:** January 25, 2023

**Adopted:** February 22, 2023

**Attest:**   
Roberta M. Lang, RMC  
Township Clerk

**Approve:**   
Timothy Farrell  
Mayor

**SUMMARY AND NOTICE**

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**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY  
AMENDING AND SUPPLEMENTING CHAPTER 173, SECTION 2(C) OF THE  
TOWNSHIP CODE REGARDING PUBLIC CONTRACTING REGULATIONS**

Adoption of this ordinance will amend and supplement Chapter 173, Section 2(C) of the Township code regarding public contracting regulations to accept contributions from businesses that have contracted pursuant to N.J.S.A. 19:44A-20.4 et seq.

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on **January 25, 2023**, and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on **February 22, 2023** at 7:00 p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to the members of the general public who shall request the same or may be viewed on our website at [www.wallnj.com](http://www.wallnj.com).

**Roberta M. Lang, R.M.C.  
Municipal Clerk**